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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 SAMUEL MERROW,

9 Plaintiff,

10 v.

11 DEPARTMENT OF CORRECTIONS, et  
12 al.,

13 Defendants.

Case No. C11-5883BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation ("R&R") of  
15 the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 11).

16 The Court has considered the R&R and the remaining record, and no objections to the  
17 R&R having been filed, does hereby find and order as follows:

- 18 (1) The R&R is **ADOPTED**;  
19 (2) Plaintiff's complaint is **DISMISSED without prejudice**; and  
20 (3) This case shall be closed.

21 DATED this 5th day of April, 2012.

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BENJAMIN H. SETTLE  
United States District Judge

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28 ORDER